

Instructions to Special Education Forms – January 2012

Form 1 - Notice of Meeting

This **Notice of Meeting** is used to inform parents of various types of meetings. If the **Notice of Meeting** is for more than one purpose (e.g. to review information and decide on special education eligibility and plan an Individualized Education Program) more than one box would be checked.

The box **Develop an Evaluation Plan** refers to a meeting that is convened to develop a plan to evaluate a student/child for special education eligibility, to evaluate the need for a significant change in placement or to gather additional information for programming purposes. The Evaluation Plan, with the exception of an initial evaluation, can also be developed through contact with parents and other school personnel without having a meeting. In this case, **Form 1 is not used** and **Form 3 (Notice of a Special Education Evaluation)** is provided to the parents. However, whenever a parent requests a formal meeting for this purpose, the school is required to hold one. In contrast, all initial eligibility decisions must be made at formally convened meetings. For initial Evaluation Plans, a complete copy of the Parental Rights must be enclosed when this box is checked. For re-evaluations, the appropriate sections (Parts 2 and 3 of the Parental Rights) regarding Notices and Evaluations must be provided to parents.

The box **Review information and decide special education eligibility** refers to a meeting at which the Evaluation and Planning Team (EPT) determines whether the student/child evaluated is eligible for special education, or is not eligible, under Vermont Special Education Regulations. The EPT also determines in this meeting whether the student/child has a disability that has an adverse effect on educational performance and if a need for special education services exists.

The box **Develop, revise or annually review an Individualized Education Program (IEP)** indicates a meeting that will be held to develop programs or services or to modify the existing programs or services that address the student/child's special education needs. A copy of the Parental Rights section regarding IEPs must be enclosed when this box is checked to plan an initial IEP, to review an IEP **that is not considered to be** an annual review, or at the IEP annual review. A complete copy of Parental Rights must be offered to parents at the IEP annual review.

For students who will be turning age 16 (or younger, if appropriate) during the period covered by the IEP checking the box **Plan or review an Individualized Education Program (IEP)** requires that **a discussion and development of transition services** be part of this meeting. The student and any agency that is likely to be responsible for providing or paying for transition services must be invited and listed in the **Name** and **Position** section of this form, although there is no requirement that either party attend the meeting.

The box **Meeting for another reason** refers to meetings that are convened that do not relate to the descriptions listed above. Staff should follow supervisory union procedures regarding when to check this box. A description of the purpose for the meeting should be included on the line provided.

Form 1 - Notice of Meeting – continued

The lines under **Designated Evaluation or IEP Team Members** are to identify the required, designated members (including the student, if appropriate) invited to the meetings. All of the individuals identified in this section, except for the parent and the student, must attend the meeting and may be allowed to be absent or excused **only** when the requirements per the written agreement and written input are met as completed on **Form 5a**. For the evaluation plan, eligibility decisions, and IEP meetings, this must include:

- parent(s)/guardian or educational surrogate of the student/child
- the student or child, if appropriate
- the local education agency representative (LEA Representative)
- not less than one special educator or special education service provider of the student/child
- an individual who can interpret the instructional implications of evaluation results
- not less than one general education teacher (for students being served in a residential placement where there is no general education component in the programming or where there is an expectation that the student will not return to a general education program, there is no requirement for a general education teacher)

Other individuals must be invited to attend evaluation plan, eligibility decisions, and IEP meetings as follows:

- For children with suspected learning disabilities, an individual qualified to conduct diagnostic evaluations, such as a school psychologist, speech language pathologist, or remedial reading teacher.
- When the student's transition needs or services will be considered, the student and other agency personnel that might provide or pay for transition services.

The lines under **Others invited to attend** are used to identify by **Name** and **Position/Affiliation** the non-required individuals who were also invited to attend the meeting. At the discretion of parents or schools, other person(s) or school personnel who have specific knowledge or expertise concerning either the student/child or the disability are invited to the meeting. Their absence or excusal from the meeting, however, does not mandate the use of **Form 5a**, nor its written agreement or written input requirement, although in some cases it may prove best practice to obtain written input if the individual invited cannot attend the meeting.

Form 1A Part C to Part B Transition and Initial IEP Notice

The Part C to Part B transition form is used to inform parents of a meeting to develop their child's first IEP as s/he transitions from the Family Infant Toddler Program to the Essential Early Education program. The IEP **must** be in effect on or before the child reaches three years of age. If not already invited to attend this meeting, the FITP Program Coordinator must be invited upon the request of the parent.

Form 2 - Evaluation Plan and Report

The Evaluation Plan and Report form is divided into a cover page, three numbered sections, and a final page.

Cover Page: In addition to the name of the school district and the student, the Child Count ID #, the grade, and date of birth, there are three important dates that must also be completed. The **Date of Planning Meeting** is the date of the meeting where the plan was completed or the date when the plan was sent to the parent, if no formal meeting took place. The **Date of Received Consent** is the date when the school district received a signed consent, if required, from the parent(s) for the evaluation. The **Date of Eligibility Decision** refers to the date when the meeting was held to answer the questions and considerations documented in the plan based upon the results of recommended evaluations and other information used to determine eligibility.

The second part of the **Cover Page** identifies the members of the Evaluation and Planning Team (EPT). Some individuals, such as the special educator, related service provider, and local educational agency representative, might fill multiple roles on the team. *Where an individual fills more than one role, his or her name must be listed in each category she or he represents; and she/he is requested to initial their agreement with the decision of the evaluation team for each role they fulfill.*

Section One: This is the Disability Determination section of the Evaluation Plan and Report. It has four parts, identified as letters A-D.

Part A is the section that asks for a list of the suspected disability categories being considered by the EPT. If more than one disability is suspected, it is recommended that one page should be completed for each disability category evaluated, so as to keep the questions and answers (**Part B**) for each category in a logical order. A concluding statement (**Part D**) must be made for each disability category evaluated. For the disability category of Developmental Delay, any question should refer to the demonstration of an observable and measured delay in one or more fundamental skill areas or a diagnosed medical condition which has a high probability of resulting in a significant delay by the time the child is six years old.

Reminder: A student/child may not be determined to have a disability if the determining factor in eligibility is limited English proficiency or a lack of instruction in reading, including the essential components of reading, or math.

Part B is the section where the questions and answers used to reach the disability determination are to be documented. The form should cite questions that pertain to the disability category descriptions identified in the Vermont Special Education Regulations. Additional information can also be obtained, but may be more appropriately listed in either the Adverse Effect or Need sections. **Each question posed in this section must be answered and the specific tests or assessment procedures used to provide for the answer must be identified.**

Part C is the section where general areas to be evaluated and the procedure to be used in carrying out the evaluation are listed. The EPT is not asked to list specific tests, which are left to the individual or personnel responsible for administering the test. **Teams are reminded that if they choose to list specific tests, that any test listed must be administered unless an explanation for its omission is provided.** The EPT must evaluate the student/child in all areas related to his or her suspected disability; including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

Form 2 - Evaluation Plan and Report – continued

Part C also lists the personnel or person(s) responsible for administering the assessments, **by their professional title** (e.g. Speech Language Pathologist, Special Education Teacher) **or team role** (e.g.. Parent, LEA Representative). Should an EPT decide to list the person responsible for administering an assessment by title and name, that specific person must administer that assessment.

Part D states the EPT's conclusion regarding disability determination(s). The EPT must reach a conclusion for each disability category that was suspected and evaluated by the team.

NOTE: Prior to a re-evaluation to determine whether a child continues to be eligible for special education services, if an EPT decides that the eligibility decision can be limited to a review of existing data without having to use new data, the parents shall be notified of that determination and the reasons for it. In addition, a parent must be notified that he/she has the right to request and receive new testing and/or new data to help with the eligibility re-determination.

Section Two: This section addresses the question of **Adverse Effect on Educational Performance**. **This section also applies to children in Essential Early Education (EEE) programs when the disability categories other than Developmentally Delayed are used.** Adverse effect is determined as performance (in at least one of the basic skill areas) at or below the 15th percentile, at least 1.0 standard deviation below the mean, or the equivalent as reflected in at least three of the six measures described in Part B of this section.

Part A asks the EPT to identify the basic skill areas to be considered in this evaluation. They include **oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematics calculation, mathematics reasoning and motor skills**. For only those students suspected of a Specific Learning Disability it could also include **reading fluency**. To be considered a comprehensive evaluation, **ALL** of the appropriate basic skills identified by the EPT in Part A in this section of the Evaluation Report must be documented within this report. **The minimal requirement of this section is that one basic skill is measured at least three ways and shown to have an adverse effect in all three measures. Three basic skills measured one way each will not meet this requirement.**

Part B is used to develop the questions and answers necessary to determine whether the disability(ies) found in Section One has/have an adverse effect on the educational performance of the student/child. **Each question posed in this section must be answered and the specific tests or assessment procedures used to provide for the answer must be identified. Additional Adverse Effect questions could be added by the Evaluation Team, if desired.**

Part B is also divided into the six categories available to measure Adverse Effect. These include: individually-administered nationally-normed achievement tests; group-administered nationally-normed achievement tests or curriculum-based measures; grades; curriculum-based measures or tests developed by teachers; criterion-referenced or group-administered criterion referenced assessments; and student work samples. A brief explanation and examples of the categories are listed below:

Form 2 – Evaluation Plan and Report – continued

i. Standard deviation or percentile scores on individually-administered nationally-normed achievement tests

Tests that compare a student/child's performance to the performance of his or her peers based on a large national group sampling of the population necessary to obtain a score. The sampling must represent the target population and consider factors such as age, grade, gender, geography, racial and cultural background, for the purposes of comparing the performance of the student/child with performance represented by the group sampled.

Examples (includes, but are not limited to):

Woodcock-Johnson Psycho-Educational Battery Tests of Achievement

Test of Reading Comprehension (TORC)

Test of Mathematical Ability (TOMA)

Test of Written Language (TOWL)

ii. Standard deviation or percentile scores on group-administered nationally-normed achievement test(s) or curriculum based measures

Same description as Category i: Individually-administered nationally-normed achievement test, but administered to a group/grade of children/students for the purposes of comparing performance to peers in a class, grade, school district, and on a national level.

Examples (includes, but are not limited to):

Stanford Achievement Test

Metropolitan Achievement Test

Terra Novas

Comprehensive Test of Basic Skills

iii. Grades

An expression of student performance compared to a standard.

Examples (includes, but not limited to):

Vermont's Framework of Standards and Learning Opportunities

Teacher-determined grading systems

IEP-based individualized grading systems

iv. Curriculum-based measures; tests developed by teachers

Use of an assessment that reflects teacher instruction in order to determine whether the student/child met the instructional objective.

Examples (includes, but not limited to):

Charts, graphs or checklists indicating student performance over time

Classroom assessments

Fluency measures

Running Records

Math Mad Minutes

Form 2 – Evaluation Plan and Report – continued

v. Criterion-referenced or group-administered criterion-referenced tests.

This is a test that measures a student's mastery of particular information and skills when the student correctly answers questions that are compared to an expected level of performance. The teacher is able to use this information for the purposes of evaluating and planning instruction.

Examples: Individually Administered (includes, but are not limited to):

Qualitative Reading Inventory – 3
Diagnostic Test of Arithmetic Strategies
Test of Awareness of Language Segments

Examples: Group Administered (includes, but are not limited to):

New England Common Assessment Program
Vermont's Writing Portfolio
Vermont's Mathematics Portfolio
Developmental Reading Assessment

vi. Student work samples, language samples, portfolios and other individual measures of Adverse Effect: Includes, but are not limited to, student work, language samples, and classroom portfolios.

Performance on individually-administered nationally-normed achievement tests and group-administered norm-referenced achievement tests must indicate that the disability is having an adverse effect on a basic skill area with scores that are at a level that is at least 1.0 standard deviation below the mean or at the 15th percentile or below.

Grades, curriculum-based measures, criterion-referenced tests and student work, language samples or classroom portfolios are equivalent measures. Equivalent measures provide a comparison of performance to average grade level peers, in heterogeneous classrooms, on the same measure. Performance must indicate that the student's grades or skill level is among the lowest 15% when compared to average performing peers.

For each category chosen, the EPT **must**:

- 1) Explain how the measure met the 15th percentile, 1.0 standard deviation below the mean, or its equivalent,
- 2) Document the scores or results of the specific tests, assessment procedures, or other measures, and
- 3) Identify and document which basic skill area(s) meets the adverse effect criteria level.

Form 2 – Evaluation Plan and Report – continued

Part C identifies the evaluation areas, assessment procedures and other measures used to make the Adverse Effect determination. This may include tests, data, student work or other education records reviewed. This section also identifies the personnel or person(s) responsible by professional title or team role for conducting the evaluations used to determine Adverse Effect.

Part D is used to summarize the EPT's conclusion(s) concerning the adverse effect each identified disability has on the child's educational performance.

Section Three: This section address the student/child's **Need for Special Education Services.**

Part A is used to inform the EPT of the need to document within this section how the student/child's need for specially designed instruction that cannot be provided within the school's standard instructional conditions or through the school's educational support system. For EEE, if it is found that the child needs special education services, the statement should include justification that a delay is at such a level that without intervention prior to enrollment in elementary school, it would affect his/her future success in the home, school or community.

Part B is used to develop the questions and answers necessary to determine whether the disability and adverse effect result in a need for special education services. Minimally, at least two questions should be asked. One question would inquire as to the need for specialized instruction and the other question would be in regards to those accommodations and modifications that might prove beneficial to the student's access to general education programming or progress. Should it be decided that a child is not eligible for special education, but would benefit from accommodations or recommendations only, they would be listed in this part and forwarded to either an appropriate Section 504 Team or Educational Support Team.

Part C is used to identify the evaluation areas necessary to assist the EPT in determining the need for special education services. It includes the personnel or person(s) responsible for these evaluation areas (in this section this may include the EPT itself).

Part D is used to summarize the Evaluation and Planning Team's decision regarding the need for special education services.

Final Page: This section pertains to the decision of the Evaluation and Planning Team as to the disability determination. It requires a statement that identifies the disability category(ies) that the student/child meets or continues to meet. The primary disability, as determined by the EPT, should be listed on the first line with any additional or secondary categories on the lines that follow. In cases where the Team finds the student/child is not eligible, the reasons for determining the ineligibility **must** be stated on this page. This section explains to parents their right to an independent evaluation should they disagree with the evaluation used to make this determination. It also includes a statement formally seen on **Form 7** (now Form 7a) which describes the prior written notification requirement to parents. In order to fulfill this obligation, this form **must** be completed in full to provide parents with the district's eligibility decision regarding **all** evaluations and disability category determinations.

Form 3 – Notice of a Special Education Evaluation

This Notice is sent following a discussion with parents and after consultation with school personnel, or following a planning meeting of the EPT. Where appropriate, a copy of the proposed Evaluation Plan or is enclosed with this Notice. If the last checkbox on this page is used to obtain consent for additional information (but not to evaluate for eligibility under a new or additional disability category), only a letter must be attached to Form 3 and 3a describing the evaluations to be conducted for which the parent or adult student are providing consent. The discussion with a parent should include informing the parent this is to be a **“special education evaluation”** and **must inform the parent of Parental Rights** regarding the evaluation process. The form itself explains to parents the difference between the written consent (**Form 3a**) needed for conducting new evaluations (and re-evaluations that require new testing) and the evaluations and re-evaluations completed solely through record review.

The appropriate boxes must be checked to provide informed notice to the parents of the plan to evaluate and their need to indicate, if necessary, written consent. Where written consent is required, **Form 3a** must be attached with **Form 3**.

Form 3a – Consent for a Special Education Evaluation

This form is sent as an attachment to Form 3 – Notice of a Special Education Evaluation but only when written consent is required to conduct the evaluation. ***Upon receipt of this form from the parents or adult student, the district must complete the section Date Received in District.*** The **Date Received in District** is critical to the evaluation process as it serves as the starting point for the 60 calendar days during which the district **must** complete the initial evaluation.

Form 4 – Notice of Evaluation Delay

This notice is sent to the parent **prior** to the end of the 60-calendar day timeline for completion of the initial evaluation, when the evaluation will not be completed within that timeframe. The reason, an exceptional circumstance, for the delay must be explained, the schedule of pending evaluations must be listed, and the expected date for completion of the Evaluation Report must be identified. Exceptional circumstances are almost exclusively child or family-centered reasons that the evaluation plan was not completed within 60 days. This form is for use with delays in the completion of initial evaluations only and should not be used to document delays in the completion of triennial evaluations. **An expected date of completion for the evaluation must be identified on this form.**

If an initial evaluation report is being delayed for more than 60 days by some factor other than an exceptional circumstance, it is recommended that a formal meeting of the EPT regarding the current evaluation plan be held. A determination should be made on whatever existing information is available within the 60 day timeline. If, as a result of the lack of information, an initial disability determination, adverse effect or need for special education decision cannot be made without completion of the evaluations, the EPT should use Form 4 to document the reasons for the delay and the timelines for completion, even though the evaluation will be out of compliance with statutory timeline regulations.

Form 5 – Individualized Education Program (IEP)

Cover Page: The first page of the IEP asks for the identification of the School District, the IEP Meeting Date, the IEP Case Manager, the **Effective Date of Revision** (when either a formal meeting is held or not held to revise the IEP), the Next Triennial Review date and the Next Annual Review date. As the new IEP form has been designed to include prior written notice information to parents (previously documented through the use of **Form 7**), it is necessary to give parents enough lead time to review the IEP prior to its effective date of implementation. It is recommended that the **IEP Meeting Date** be at least 10 days prior to the initiation date of the IEP. As shown in Example One below, the **IEP Meeting Date** would be October 5, 2007 and the **Next Annual Review Date** for the IEP would be October 5, 2008, at least 10 days before the duration of the current IEP ends. The **Next 3-year Re-evaluation Date** would be three years from the last completed Evaluation Plan Report date or three years from the date of the parent signature on **Form 8** (the parent and district agreement not to conduct a three year re-evaluation.)

The second section of the cover page is for identifying information on the student, including their name, disability category, date of birth, school name, grade level, the parent's name and address, and the Child Count ID number, when available, are all required.

The third section of the cover page identifies the **effective initiation and duration dates of the IEP**. It is very important to pay attention to the individual date lines under initiation and duration. These should reflect the actual school year. **In both examples, the IEP Meeting Date should be October 5, 2007.**

Example One: If a student's IEP is initiated on October 15, 2007 and the school year ends on June 18, 2008 with the next school year beginning on August 27, 2008, the form should look like this:

<u>Initiation and Duration of School Year Services:</u>	10/15/07 to 06/18/08 08/27/08 to 10/15/08
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Example Two: If a student's IEP is initiated on October 15, 2007 and the school year ends on June 18, 2008 with the next school year beginning on August 27, 2008, and the student is scheduled to receive extended school year services from July 5th to August 10th, the initiation and duration dates should look like this:

<u>Initiation and Duration of School Year Services:</u>	10/15/07 to 06/18/08 08/27/08 to 10/15/08
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<u>Initiation and Duration of Extended Year Services:</u>	07/05/08 to 08/10/08
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The final section of the Cover Page identifies the IEP team members, identifies their role on the team and provides an area to print the person's name, and position or agency affiliation. As well, there are boxes at the end of each line to check if the individual listed was in attendance at the IEP meeting.

Present Levels of Educational/Functional Performance (Page 2): IEP Teams are required, briefly, to describe the student/child's current disability affects their educational and functional performance levels, including the student/child's medical issues, strengths and needs. For preschool children the IEP Team should identify how the disability affects the child's participation in appropriate childhood activities. Other considerations, such a health/safety concerns, mobility, transportation, disability awareness, self-advocacy needs and family concerns or input should also be addressed in this section of the IEP.

Form 5 – Individualized Education Program (IEP) – continued

Annual Goals, Short-Term Objectives, Benchmarks (Page 3): This section begins with an identification of the educational or functional area being addressed by this IEP. It is expected that a separate page will be utilized for each educational or functional area covered in this IEP. It continues to ask, where appropriate, to identify the standardized test results, the current classroom educational and functional levels related to this area and the grade expectation for this particular educational or functional for this skill area. This section then identifies the goals (the estimated outcome one expects to see in an academic year) and the short-term objectives or benchmarks (the intermediate and measurable outcomes between the student/child's current performance level and the annual goal). Each goal should reflect a skill area in need of specialized instruction that was identified in the Evaluation Report and in the Present Levels of Educational Performance and the Services pages of the IEP. Short-term objectives are listed when an annual goal is divided into discrete skill components. Benchmarks describe the amount of progress the student/child is expected to make within a specified period. Within the goals or objectives the IEP Team must identify the evaluation procedures used and personnel responsible to assess student progress on the goals and objectives. Progress review dates are listed here and IEP Teams are reminded that progress reports on the goals and objectives must be provided to parents at least as often as other students within the school receive progress reports. Additional pages are available if the number of goals and objectives for this specific educational or functional area require more space.

Postsecondary Transition Plan: These pages are required for Transition Plans, beginning for students with their first IEP in effect at age 16, or younger as deemed appropriate by the IEP Team. The first section of the first page of the Post Secondary Transition Plan of the IEP asks for documentation of the expected date of graduation, and current grade level. The next section asks for documentation as to the method used for involving the student and appropriate agencies in the IEP Transition Plan meeting. The first page of the Post Secondary Transition Plan then goes on to ask for the identification of the Transition/Vocational Assessments used in developing the transition outcomes and goals, **including** the date they were administered as well as a summary of the results of those age-appropriate assessments.

The following sections, beginning on page one and following on page two of the Post Secondary Transition Plan, requires the IEP Team to identify postsecondary goals in the areas of Employment and Education/Training and, if appropriate, Independent Living. Postsecondary goals are the goals for the student after graduation and must be written as such. Each section includes a section to write the annual goals that the LEA will work on with the student to assist them in reaching their postsecondary goal. These goals must include dates of review where progress information will be sent to the parent or adult student. Each section for the three areas concludes with a list of the transition services being provided to the student. (If the IEP Team determines that the student does not have an Independent Living goal that needs to be addressed it must be indicated with an N/A as a means to document that the IEP Team has discussed and agreed that it currently does not apply to this student's needs.)

The IEP Team **must** then provide a description of the course(s) of study (i.e. a listing of courses, curriculum, vocational or tutorial programs) needed to assist the student in meeting these goals and a description of any the linkages to other agencies that will assist the student in postsecondary planning. The following page includes a sample Multi-Year Plan that can be used with some students to describe their course of study.

The next section includes a statement to document that a student who will be reaching age 17, and their parents, have been informed about the transfer of parental rights to the student at age 18. If not informed by written notice, it asks for documentation how the student and parents were informed.

Form 5 – Individualized Education Program (IEP) – continued

Special Education Services, Related Services, Transition Services, Parental Consent to Bill Medicaid (Page 5): This page has separate sections to describe the special education services, related services, transition services and extended school year services to be provided to the student, as well as its location, frequency, duration, personnel or provider, and group size. This page concludes with the Parental Consent to Bill Medicaid section. The Case Manager or LEA must review this provision with the parent and place a checkmark immediately following the appropriate statement regarding consent or refusal for the district to bill Medicaid for eligible special education services.

Least Restrictive Environment (LRE) Statement, Description of the Child's Placement, General Characteristics of the Placement, Accommodations/Modifications for Assessments (Page 6): This page begins with a section to describe, if applicable, why full participation is not possible in the regular classroom, extracurricular or other non-academic activities. The next section is a statement describing the student/child's educational environment (i.e. therapeutic, behavioral settings, etc.). This page also identifies the Child Count categories regarding the general characteristics of the student's educational environment along the continuum of regular and alternative placements. There are separate sections for ages 6-21 and ages 3-5. The final section on this page documents the accommodations, modifications and supplementary aids and supports needed for the student to participate in national, state, district-wide and school assessments or the alternative evaluation technique to be used if a student will not be participating in those assessments.

NOTE: The Documentation of Eligibility for Alternate Assessment and copies of applicable IEP(s) should be forwarded to the Alternate Assessment Coordinator, Vermont Department of Education, 120 State Street, Montpelier, VT 05620 between May 15th and September 30th of each school year.

Program Modifications/Supports for the Student and School Personnel/Parents and Additional Student/Program Information (Page 7): This page of the IEP first identifies the accommodations, modifications, and supplementary aids and supports necessary for the student/child to have access to the general education curriculum. This includes the unique supplies or equipment required specifically for this student. A check box is also made available to identify if the student is eligible for supports of Accessible Instructional Materials.

Next, the page identifies the program modifications or supports that will be provided for school personnel and parents to implement the IEP.

The final section on this page identifies the other options considered by the IEP team that were not included as part of the current IEP. It should include the reasons why the other considerations were not made part of this IEP or may refer to the Present Levels of Performance page to justify the decrease, elimination or decision not to include particular services, accommodations, modifications, supplementary aids or services as part of this IEP.

IEP Form - Definitions and Comments

Continuum of Alternative Placements:

Each school district shall ensure that a continuum of alternative placements is available to meet the needs of children who are receiving IEP services. The continuum includes instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and residential facilities.

Duration of Services:

Special education and related services will be delivered during the school calendar year or on a schedule set forth in the IEP.

Goals:

A statement of the measurable annual goals including benchmarks or short-term objectives, related to meeting the student's needs that result from the student's disability which enable the student to be involved in and progress in the general curriculum.

Individualized Education Program (IEP):

An IEP is a written document that is developed for a student/child who has been found eligible for special education services.

Individualized Education Program-Accountability:

Each public agency must provide special education and related services to a student with a disability in accordance with an IEP. However, State and Federal regulations do not require that any agency, teacher, or other person be held accountable if a student does not achieve the growth projected in the annual goals and objectives.

Least Restrictive Environment:

A student eligible for special education services shall be educated with his or her non-disabled chronological age peers, to the maximum extent appropriate in the school he or she would attend if he or she did not have a disability.

Local Education Agency (LEA) Representative:

The LEA Representative is a representative of the public agency who is knowledgeable about general curriculum, qualified to provide or supervise the provision of special education services and is knowledgeable about the availability of resources. A public agency may designate a current member of the IEP team to serve also as the LEA Representative, but only if the individual meets the criteria stated above.

General Education Teacher:

Not less than one general education teacher must participate in the development of the IEP if the student is, or may be, participating in the general education environment.

Related Services:

"Related Services" means transportation and such developmental, corrective and other supportive services as are required to assist a student with a disability to benefit from special education (for example: occupational therapy, physical therapy, parent counseling and training, etc.).

Skill Areas:

Skill areas include Basic Skill Areas (e.g. reading, oral expression), Fundamental Skills (e.g. cognitive, social), or any other curriculum areas needed by the student (e.g. vocational, recreational, etc.). The student's needs for socialization, language and behavior development must be considered.

Special Education:

Special Education means specially designed instruction that cannot be provided within the school's standard instructional conditions or provided through the school's educational support system, at no cost to the parent, to meet the unique needs of an eligible student with a disability.

Special Education Teacher or Service Provider:

Not less than one licensed special education teacher or related service personnel, (e.g. Essential Early Educator, Resource Room Teacher, Consulting Teacher/Learning Specialist, Speech-Language Pathologist, Occupational Therapist, Physical Therapist, etc.) is required to attend an IEP meeting.

IEP Form - Definitions and Comments

Student:

The student with the disability is encouraged to participate in the development of the IEP whenever appropriate. Starting at the age of 16, the student is required to be invited when transition service needs or transition services will be discussed.

Postsecondary Transition Services: “Postsecondary Transition Services” are the services, including courses of study, needed to assist the child in reaching age appropriate measurable postsecondary transition goals in Education/Training, Employment training, and, where appropriate, Independent Living skills. These must be in the IEP of a child who is going to turn age 16 while the IEP is in effect.

As you complete the IEP document, remember to:

- Discuss the applicable section of the Parental Rights in Special Education.
- Document how parent participation was obtained, if parents were not in attendance.
- Consider the communication needs of the student. These needs may be different than the needs of deaf and hard of hearing students.
- Record the date of initiation and duration of services on the cover page.
- Plan an adaptive physical education program for those students who cannot participate in the regular physical education program. (Not applicable for essential early education).
- Consider the related services necessary to assist a student with a disability to benefit from special education and related services. Include consideration of services such as audiology services, counseling, orientation and mobility services, parent counseling and training, physical and occupational therapy, psychological services, recreation, school health and nursing services, social work services, and transportation, etc.
- Indicate the accommodations needed for the student to participate in state or district-wide assessments. Use the “NECAP Accommodations Guide” for a list of appropriate accommodations. If the student will not participate in state or district-wide assessments, describe why the assessment is not appropriate and how the student will be assessed.
http://www.state.vt.us/educ/new/pdfdoc/pgm_assessment/necap/accommodations_guide.pdf.
- Include strategies, positive behavioral interventions, supports, other than or in addition to a behavior plan to address behavioral issues when the behavior interferes with the student’s or other students’ learning. Such strategies include conflict resolution, social skills, etc.
- Consider and include language needs of students with limited English proficiency as they relate to the student’s IEP.
- Provide instruction and materials in Braille for students who are blind or visually impaired. If the IEP team decides not to provide Braille, document the reasons why. This decision must be based on an evaluation of the student’s current and future reading and writing skills and media needs.
- Consider, for students who are deaf or hard of hearing, the student’s language and communication needs, including opportunities for direct communication with peers and professional personnel in the student’s language and communication mode. Also include opportunities for direct instruction in the student’s language and communication mode.
- Consider whether or not the student requires assistive technology devices and services.

As you complete the IEP document, remember to:

- Consider the full continuum of alternative placements and the extent to which the student can be educated with his or her non-disabled peers. If the IEP team determines that the student cannot participate full-time with non-disabled students in the regular classroom, extracurricular or other nonacademic activities, explain why full participation is not possible.
- Include a statement of the transition services needs that focus on the student's course of study for the first IEP in effect when the student reaches age 16, or younger if appropriate. Identify what the student needs to accomplish before transition services are planned. Also identify transition goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and identify the transition services including courses of study needed to assist the student in reaching those goals.
- Explain the steps taken to ensure that the student's preferences and interest are considered if the student did not attend the IEP meeting to discuss transition service needs or transition services.
- Explain, if an agency was invited to send a representative to an IEP meeting and did not do so, what other steps did you take to obtain their participation in the planning of any transition services?
- Notify the parent and student when the student reaches 17, that when the student reaches age 18, the student will become an adult under Vermont Law, unless he/she is under guardianship.
- Establish a process or procedure to share with all necessary school personnel relevant IEP information regarding goals, objectives, accommodations, and supplemental aids and supports required by the student.
- Indicate by marking with a (R) the goals and objectives that address the reintegration of the student into the regular education environment for those students who are receiving services while attending a residential program.
- Describe how parents will be regularly informed of their student/child's progress toward the goals outlined in this IEP. This must occur at least as often as parents are informed of their non-disabled children's progress.
- Consider, as appropriate, the program modifications or supports needed for school personnel to implement the IEP.
- Discuss and plan, if appropriate, an extended school year program and document on the service page.

Form 5a – Written Agreement for Not Attending An IEP Meeting

This form is used to document one of two cases in which an IEP team member may not be in attendance at the meeting. The form is signed prior to the IEP meeting by the district representative and the parent. LEAs may wish to develop local procedures as to when attendance may be excused. ***The district must inform the parent that his/her agreement to this excusal or non-attendance is voluntary.***

Part A: If an IEP team member's area of curriculum or related service is not being modified or discussed, the member not in attendance is recorded on the form and the agreement or disagreement box is checked. The LEA representative and parent sign the form acknowledging the said agreement.

Part B: If an IEP team member's area of curriculum or related service is being discussed, the same process as in Part A above is followed. In addition, the excused member is required to submit to the parent and IEP team any input **prior** to the development of the IEP.

Form 5b – Agreement to Revise the IEP Between Annual Review Meetings

The Vermont IEP Form 5b, Agreement to Revise the Individualized Education Program (IEP) between Annual Review Meetings, has been revised to drop the requirement that a parent/guardian sign the form regarding a change without holding a formal meeting. The revised Form 5b now requires the Local Education Agency (LEA) to identify the date and to describe the method used to contact the parent about the proposed change. A signature from an authorized LEA staff member confirming that he/she informed the parent of their right to choose not to enter into this agreement and instead have a formal meeting to discuss this proposed change must be provided. Direct contact is personal communication and does not include voice mails or e-mails.

The new Form 5b removes the multiple check boxes and potential areas of change in lieu of space for the LEA to summarize and justify the change(s) to be made to the IEP in a few sentences.

There must be an adequate amount of time, determined by the LEA, between the date the parent was informed of the proposed change and the Effective Date of the IEP revision. This period must allow enough time for the parent/guardian to receive the Form 5b notice prior to the implementation of the new IEP.

LEAs are reminded that, with the use of this Form 5b, parents and other IEP Team members must still receive copies of the newly revised IEP pages. For the purposes of special education funding, the correct initiation and duration dates of any new or revised service must accurately reflect the dates when this revision goes into effect. Under no circumstances will LEAs be allowed to back-date a Form 5b that seeks to acquire special education funding on a service that was initiated prior to the proper notification to parents utilizing Form 5b.

As was previous practice, corrections made to IEPs that do not change either the student's educational placement, level of service, goals, objectives, evaluative information, or initiation/duration dates may be completed without the use of Form 5b or a formal meeting.

Form 5c – Revision of the IEP Between Annual Review Meetings

Form 5c is new and is to be used when a revision is made through the use of a formal meeting of the IEP Team between Annual Reviews. Vermont State Form 7a can be used in lieu of State Form 5c but cannot be used in place of Form 5b. The purpose of the form is to provide written documentation to the parent of the changes proposed as a result of an IEP meeting held between annual reviews.

Form 6 - Consent for Initial Provision of Special Education

This form is used to obtain written consent from parents for the initial provision of special education services. It also informs the parents that **special education services will not begin without their written consent**. The third checkbox on this page is for parents of a student who is transitioning from Part C (birth to age 3) to Part B (ages 3-21) services. The fourth checkbox reflects parents who are not providing consent for initial services to begin but may be seeking other services through a services plan because they have decided to either home school their child or place their child unilaterally in an independent school. It concludes with a contact number or address where the parent can ask questions, and **the date the written consent was received in the district**, assuring that services were not provided prior to receipt of the written consent.

Form 7 - Notice of Local Educational Agency Refusal

In order to ensure that LEAs are able to comply with the federal regulations governing parental notice, Form 7 includes all the information required to fully inform parents when an LEA intends to decline a request(s) for a student's (1) identification, (2) evaluation, (3) educational placement or (4) the provision of FAPE as defined by an IEP. (For purposes of the prior written notice requirement, a change in "identification" means a change in the eligibility category. A change in "evaluation" means a refusal to initiate or change an evaluation plan.)

The prior written notice requirement assumes that the following situations will be "refusals to changes in educational placement." (1) where the change would require a change in the IEP; (2) where the change would result in moving a student to a more or less restrictive educational environment; (3) where the student's opportunities to participate in nonacademic and extracurricular activities would be reduced or expanded; and (4) where the new placement option is not the same option on the continuum of alternative placements. Refusals to change methodology or personnel require prior written notice only when they fall within one of the above situations.

The purpose of the prior written notice requirement is to give parents information about LEA refusals in time to consider the decision and to determine how to respond. Form 7 does not apply when an LEA has not decided, in advance of a scheduled meeting, to make specific proposals, or to decline specific parental requests. In those cases, Form 7 would be used after the LEA decision has been made, possibly at the end of the meeting or shortly thereafter. For example, if a meeting is scheduled simply to review progress, and a decision is proposed during the meeting to change the IEP, but does not reach consensus. Form 7 would be used at the end of the meeting or shortly thereafter if the decision of the LEA was to refuse this change and, therefore, would not be documented in amendments to the current IEP. In any case, either through the refusal using Form 7, or the documentation of changes using Form 2, Form 5 and Form 5b, prior written notice must be given before a decision is scheduled for implementation. During this period, the parent has time to consider the significance and impact of the district's decision.

Form 7a – Notice of Local Education Agency Decision

This form is used to document prior written notice to parents regarding local education agency decisions to either change or not to change information about a child in the areas of evaluation, identification, educational placement and the provision of a Free and Appropriate Public Education. The form goes on to further document the reasons for such decisions, the tests or evaluation information on which the decision was made, any other options considered prior to this decision, and any other factors which might have an effect of the decision that was reached. It concludes with a section explaining to parents where additional resources can be found to help explain any concerns they may have regarding the information contained in this form.

A 2009 change to this form was the inclusion at the upper right hand corner to identify the date that this form was completed.

Form 8 – Written Agreement Between Parents and District – Re-evaluations

This form is used when a parent and school district agree that a re-evaluation is unnecessary. *The parent must be informed that they do not have to enter into this agreement.* The form documents the current due date and the reasons not to conduct the re-evaluation. The form needs to be signed by both school district staff and parent. The next triennial evaluation is due no later than three years from the date of the parent signature on this form.

Form 9- Completion of An Evaluation of A Transfer Student

This form is used when a student moves from one district to another while in the midst of either an initial or triennial evaluation and, despite efforts to promptly seek information from the previous school district, the current school district will not complete the initial evaluation within the 60 day time limit or the triennial prior to the three year anniversary of the previous evaluation. ***Note: Districts must explain to the parent that their agreement is voluntary.***

Initial evaluation: Document the date that the evaluation will be completed and ask the parent and school district representative to sign in the first section.

Triennial evaluation: Document the date that the re-evaluation will be completed and ask the parent and school district representative to sign in the second section.

Form 10 – Written Affirmation of Consultation for Parentally Placed Private School Students

This form has two pages and is broken into five numbered sections. At the top of the form, the name of the school district and the date of the form are recorded. This form is completed after the LEA responsible for the independent schools within the geographic boundaries of the supervisory union consults with a representative of the private/independent school. The completed sections document the results of the decisions reached.

1. Child Find: Check boxes are provided to document all of the ways that the student(s) shall be identified or referred. As well, there are boxes to document all of the ways that parents, teachers and private school officials are notified of child find process.

2. Determination of Proportionate Amount of Federal Funds: Check boxes are provided to document how private schools were informed of what Federal funds are available to them through the responsible LEA and how the LEA arrived at this dollar amount.

3. Consultation Process: Checkboxes are provided to document how consultation between the LEA and private school was conducted initially and throughout the school year.

4. Determination of Services: This section has a space to record the date of review regarding services and check boxes to document the specific services offered. As well, there are check boxes to document how services will be provided.

5. How services will be apportioned if funds are insufficient to serve all children and how and when those decisions will be made: This section begins with a date by which the LEA will make a decision regarding the apportionment of funds.

There are two choices: Either there are insufficient funds and no services will be provided or funds are sufficient and the district will check the boxes for the services to be provided. If there is agreement between the LEA and the private school, representatives from both will sign and date the form. If the private school representative can not agree with services to be provided by the school district, they should sign and date the bottom of the form.